

CHAPTER 1135

OPERATING WHILE INTOXICATED — CHEMICAL TEST EVIDENCE

H.F. 2170

AN ACT regarding application of the margin of error for chemical test evidence used in operating while intoxicated prosecutions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321J.2, subsection 10, Code Supplement 1999, is amended to read as follows:

10. In any prosecution under this section, the results of a chemical test ~~may~~ **shall** not be used to prove a violation of subsection 1, paragraph “b” or “c”, if the alcohol, controlled substance, or other drug concentration indicated by the chemical test minus the established margin of error inherent in the device or method used to conduct the chemical test does not equal or exceed the level prohibited by subsection 1, paragraph “b” or “c”.

Approved April 21, 2000

CHAPTER 1136

DOMESTIC ABUSE DEATH REVIEW TEAM

H.F. 2362

AN ACT relating to the establishment of a domestic abuse death review team and providing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 135.108 DEFINITIONS.

As used in this division, unless the context otherwise requires:

1. “Department” means the Iowa department of public health.
2. “Director” means the director of public health.
3. “Domestic abuse death” means a homicide or suicide that involves or is a result of an assault as defined in section 708.1 and to which any of the following circumstances apply to the parties involved:
 - a. The alleged or convicted perpetrator is related to the decedent as spouse, separated spouse, or former spouse.
 - b. The alleged or convicted perpetrator resided with the decedent at the time of the assault that resulted in the homicide or suicide.
 - c. The alleged or convicted perpetrator and the decedent resided together in the past but did not reside together at the time of the assault that resulted in the homicide or suicide.
 - d. The alleged or convicted perpetrator and decedent are parents of the same minor child, whether they were married or lived together at any time.
 - e. The alleged or convicted perpetrator was in an ongoing personal relationship with the decedent.
 - f. The alleged or convicted perpetrator was arrested for or convicted of stalking or harassing the decedent, or an order or court-approved agreement was entered against the perpetrator under chapter 232, 236, 598, or 915 to restrict contact by the perpetrator with the decedent.